

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

IN RE: _____)
))
ANTOINE MABONGHOT) Case No. 19-33549-KRH
) Chapter 13
))
Debtor)

MOTION TO RECONSIDER

COMES NOW the Debtor, by counsel, and moves this Court to Reconsider the granting of the Trustee's Motion to Dismiss this Case of this case, and in support thereof states as follows:

1. The Debtor filed this Chapter 13 case on July 8, 2019 and is operating under a confirmed Chapter 13 Plan.
2. On December 9, 2019 the Trustee filed a Motion to Dismiss this case due to unreasonable delay due to an underfunding issue.
3. An Amended Plan was filed on December 12, 2019 but it failed to fully address the issue.
4. Counsel for the Debtor had difficulty contacting the Debtor to address this issue and as a result the Court granted the Trustee's Motion to Dismiss on March 11, 2020, although the order granting the Motion has not been entered on the docket.
5. On March 18, 2020 the Debtor met with counsel and executed an Amended Chapter 13 Plan that fully addresses the underfunding issue and the same is being filed contemporaneous with

James E. Kane (VSB #30081)

KANE & PAPA, P.C.

1313 East Cary Street

Richmond, VA 23219

(804) 225-9500 (phone)

(804) 225-9598 (fax)

jkane@kaneandpapa.com

Counsel for Debtor

this Motion.

6. The Debtor has been making his regular Chapter 13 Plan payments to the Trustee is current with the same.

7. The Debtor desires to remain in this case.

WHEREFORE, the Debtor respectfully requests that the Court Reconsider the granting of the Trustee's Motion to Dismiss this Case of this case and grant such other relief as may be deemed appropriate.

ANTOINE MABONGHOT

By: /s/ James E. Kane
Counsel

James E. Kane (VSB #30081)
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, VA 23219
(804) 225-9500 (phone)
(804) 225-9598 (fax)
jkane@kaneandpapa.com
Counsel for Debtor

CERTIFICATE OF SERVICE

I hereby certify that on March 18, 2020, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties registered to receive notice thereof and to all creditors and parties in interest on the attached mailing matrix.

/s/ James E. Kane
Counsel for Debtor

**IN THE UNITED STATES BANKRUPTCY COURT
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IN RE: _____)
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ANTOINE MABONGHOT) Case No. 19-33549-KRH
) Chapter 13
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Debtor) _____)

NOTICE OF MOTION AND HEARING

The above Debtor has filed Motion to Reconsider the granting of the Trustee's Motion to Dismiss this Case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before **April 1, 2020** you or your attorney must:

- File with the court, at the address shown below, a written request for a hearing [or written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for a hearing (or response) to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above, to:

Clerk of Court
United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219

You must also mail a copy to:

James E. Kane, Esquire
Kane & Papa, P.C.
1313 East Cary Street
Richmond, Virginia 23219

- Attend a hearing scheduled for **April 8, 2020 at 12:00 p.m. at the U.S. Bankruptcy Court, Eastern District of Virginia, 701 East Broad Street, Room 5000, Richmond, VA 23219.** If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated : March 18, 2020

ANTOINE MABONGHOT

By: /s/ James E. Kane
Counsel

James E. Kane (VSB #30081)
KANE & PAPA, P.C.
1313 East Cary Street
Richmond, VA 23219
(804) 225-9500 (phone)
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Counsel for Debtor

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/s/ James E. Kane
Counsel for Debtor

United States Bankruptcy Court

(p)BLEECKER BRODEY AND ANDREWS

(p)CREDIT CLEARING HOUSE OF AMERICA INC

701 East Broad Street

9247 N MERIDIAN ST STE 101

P O BOX 1209

Richmond, VA 23219-1888

INDIANAPOLIS IN 46260-1813

LOUISVILLE KY 40201-1209

CLHV, LLC t/a Colonial-Heritage

DEPARTMENT OF THE TREASURY - IRS

c/o Richard J Knapp & Assoc.

INTERNAL REVENUE SERVICE

1910 Byrd Ave. Suite 5

PO BOX 7346

Richmond, VA 23230-3034

PHILADELPHIA, PA 19101-7346

Dr. Kathryn Murphy-Judy

Commonwealth of Kentucky

Exeter Finance LLC

14111 Ridge Creek Road

Div. of Collect/Dept. of Rev.

AIS Portfolio Services, LP

Midlothian, VA 23112-4308

P.O. Box 491

4515 N Santa Fe Ave. Dept. APS

Frankfort, KY 40619-0001

Oklahoma City, OK 73118-7901

Exeter Finance LLC

Exeter Finance LLC c/o AIS Portfolio Service

PO Box 204480

Exeter Finance LLC

4515 N Santa Fe Ave. Dept. APS

Dallas, TX 75320-4480

PO Box 650693

Oklahoma City, OK 73118-7901

Dallas, TX 75265-0693

(p)G L A COLLECTION CO INC

KENTUCKY DEPARTMENT OF REVENUE

PO BOX 588

LEGAL SUPPORT BRANCH

GREENSBURG IN 47240-0588

P O BOX 5222

FRANKFORT KY 40602-5222

Internal Revenue Service

P.O. Box 7346

Philadelphia, PA 19101-7346

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Bleecker Brodey & Andrews 9247 N. Meridian Street Suite 101 Indianapolis, IN 46260-0000	CCHA -Credit Clearinghouse Ccha Po Box 1209 Lousiville, KY 40201-0000	GLA Collection Company Attn: Bankruptcy Po Box 588 Greensburg, IN 47240-0000
REPUBLIC FINANCE, LLC 282 TOWER RD PONCHATOULA, LA 70454	(d)Republic Finance Llc Attn: Bankruptcy 8013 Bardstown Rd Louisville, KY 40291-0000	End of Label Matrix Mailable recipients 29 Bypassed recipients 0 Total 29